

FILED  
IN CLERKS OFFICE

2005 JAN 19 P 3:09

To Whom It May Concern,

RECEIPT # 61557  
 AMOUNT \$ 150.00  
 SUMMONS ISSUED 3  
 LOCAL RULE 4.1 -  
 WAIVER FORM -  
 MCF ISSUED -  
 BY DPTY. CLK. M.P.  
 DATE 1/20/05

① Plaintiff's Name: Rita <sup>U.S. DISTRICT COURT  
DISTRICT OF MASS</sup> "Pro Se"  
 115 Playstead Rd  
 West Medford, Mass.  
 781-391-7453

MAGISTRATE JUDGE JLA

① Defendant's Name: Secretary of Health  
 and Human Services  
 330 Independence Ave  
 Washington, D.C.  
 20201

HIC # 016-26-9997 A  
 Docket # 999-26-0742

05-10126 RGS

② Jurisdiction: To prove that there was a medical necessity as well as patient's best medical interest for the transfer from Speare Memorial Hospital in Plymouth New Hampshire to Lawrence Memorial Hospital in Medford Mass. On Dec. 19, 2002.

③ Allegations: That despite documentation from 2 physician and a Cardiologist that are familiar with the patient and patient's medical history that the transfer from Hospital to Hospital was appropriate, the Secretary of Health and Human Services is denying the claim. -

④ Relief: That the Mountain Valley Ambulance Company be paid in full for the services by Medicare, for the transfer on 12/19/02

Rita Perriello

## CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

## I. (a) PLAINTIFFS

Rita Ferrotti  
115 Playstead Rd  
Medford, Mass. 02155

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

## DEFENDANTS

Secretary of Health and Human  
Services  
330 Independence Ave.  
Washington, D.C. 20201

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE  
TRACT OF LAND INVOLVED.

05 10126 RG5

## II. BASIS OF JURISDICTION

(PLACE AN "X" IN ONE BOX ONLY)

1 U.S. Government Plaintiff

2 Federal Question (U.S. Government Not a Party)

2 U.S. Government Defendant

4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

PTF DEF PTF DEF

Citizen of This State  1  1 Incorporated or Principal Place of Business In This State  4  4

Citizen of Another State  2  2 Incorporated and Principal Place of Business In Another State  5  5

Citizen or Subject of a Foreign Country  3  3 Foreign Nation  6  6

## IV. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

1 Original Proceeding

2 Removed from State Court

3 Remanded from Appellate Court

4 Reinstated or Reopened

Transferred from  
 5 another district (specify)

6 Multidistrict Litigation

Appeal to District Judge from  
 Magistrate Judgment

## V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 116 Insurance	PERSONAL INJURY	<input type="checkbox"/> 319 Agriculture	<input type="checkbox"/> 422 Appeal 28 USC 158	<input type="checkbox"/> 460 State Reapportionment
<input type="checkbox"/> 120 Marine	<input type="checkbox"/> 316 Airplane	<input type="checkbox"/> 320 Other Food & Drug	<input type="checkbox"/> 423 Withdrawal 28 USC 157	<input type="checkbox"/> 410 Antitrust
<input type="checkbox"/> 130 Miller Act	<input type="checkbox"/> 315 Airplane Product Liability	<input type="checkbox"/> 325 Drug Related Seizure of Property 21 USC 881		<input type="checkbox"/> 430 Banks and Banking
<input type="checkbox"/> 140 Negotiable Instrument	<input type="checkbox"/> 320 Assault, Libel & Slander	<input type="checkbox"/> 345 Personal Injury - Product Liability		<input type="checkbox"/> 450 Commerce/ICC Rates/etc.
<input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment	<input type="checkbox"/> 330 Federal Employers' Liability	<input type="checkbox"/> 346 Asbestos Personal Injury Product Liability		<input type="checkbox"/> 460 Deportation
<input checked="" type="checkbox"/> 151 Medicare Act	<input type="checkbox"/> 340 Marine	PERSONAL PROPERTY		<input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations
<input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)	<input type="checkbox"/> 345 Marine Product Liability	<input type="checkbox"/> 370 Other Fraud		<input type="checkbox"/> 480 Selective Service
<input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits	<input type="checkbox"/> 350 Motor Vehicle	<input type="checkbox"/> 371 Truth in Lending		<input type="checkbox"/> 490 Securities/Commodities/Exchange
<input type="checkbox"/> 160 Stockholders' Suits	<input type="checkbox"/> 355 Motor Vehicle Product Liability	<input type="checkbox"/> 380 Other Personal Property Damage		<input type="checkbox"/> 475 Customer Challenge 12 USC 3410
<input type="checkbox"/> 165 Other Contract	<input type="checkbox"/> 380 Other Personal Injury	<input type="checkbox"/> 385 Property Damage Product Liability		<input type="checkbox"/> 501 Agricultural Acts
<input type="checkbox"/> 166 Contract Product Liability				<input type="checkbox"/> 502 Economic Stabilization Act
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS		<input type="checkbox"/> 503 Environmental Matters
<input type="checkbox"/> 210 Land Condemnation	<input type="checkbox"/> 411 Voting	<input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus	<input type="checkbox"/> 504 Energy Allocation Act	<input type="checkbox"/> 505 Freedom of Information Act
<input type="checkbox"/> 220 Foreclosure	<input type="checkbox"/> 412 Employment	<input type="checkbox"/> 520 General	<input type="checkbox"/> 506 Appeal of Fee Determination Under Equal Access to Justice	<input type="checkbox"/> 507 Constitutionality of State Statutes
<input type="checkbox"/> 230 Rent Lease & Ejectment	<input type="checkbox"/> 413 Housing/ Accommodations	<input type="checkbox"/> 535 Death Penalty	<input type="checkbox"/> 508 Other Statutory Actions	<input type="checkbox"/> 509 Other Statutory Actions
<input type="checkbox"/> 240 Torts to Land	<input type="checkbox"/> 414 Welfare	<input type="checkbox"/> 540 Mandamus & Other		
<input type="checkbox"/> 245 Tort Product Liability	<input type="checkbox"/> 415 Other Civil Rights	<input type="checkbox"/> 544 Civil Rights		
<input type="checkbox"/> 260 All Other Real Property		<input type="checkbox"/> 555 Prison Condition		
VI. CAUSE OF ACTION	(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND THE BRIEF STATEMENT OF CAUSE DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)			
	Non-payment of Medicare Claim			
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23		DEMAND \$	CHECK YES only if demanded in complaint: JURY DEMAND: <input type="checkbox"/> YES <input type="checkbox"/> NO
VIII. RELATED CASE(S) (See Instructions): IF ANY	JUDGE		DOCKET NUMBER	
DATE	SIGNATURE OF ATTORNEY OF RECORD			
FOR OFFICE USE ONLY				
RECEIPT #	AMOUNT	APPLYING IFFP	JUDGE	MAG. JUDGE